

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:)	Case No. 12-11095TPA
Joann Hickey)	
)	Chapter 13
Debtor)	
)	Doc # <u>97</u>
Ronda J. Winnecour, Chapter 13 Trustee)	
Movant(s))	
)	
Vs.)	
Joann Hickey)	
)	
Respondent)	

ORDER

AND NOW, this 13th day of September, **2017**, the Court having considered the Chapter 13 Trustee's certification (or request) for dismissal, and any responses thereto, the following relief (as reflected by the checked boxes below) is **ORDERED, ADJUDGED and DECREED**:

- ☐ This case is **DISMISSED**, with prejudice. The Debtor(s) is/are ineligible for bankruptcy relief under any chapter for a period of 180 days from the date of this Order.
- ☐ This case is **DISMISSED**, without prejudice.

If either of the above provisions is checked, indicating that this case is being dismissed, then it is **FURTHER ORDERED** as follows:

- A. Each wage attachment issued in this case is now terminated. So that each employer knows to stop the wage attachment, the Debtor(s) shall immediately serve a copy of this Order on each employer and file a proof of service within 10 days of the date of this Order.
- B. This case is administratively closed. However, the Court retains jurisdiction over the Trustee's Report of Receipts and Disbursements and Final Report and Account. Upon submission of UST Form 13-FR-S: Chapter 13 Standing Trustee's Final Report and Account, the Trustee is discharged from her duties in this case and this case will be closed without further Order of Court.
- C. The Clerk shall give notice to all creditors of this dismissal.
- D. Any motion to reopen must be accompanied by the appropriate reopening fee, equal to the filing fee for the appropriate chapter (less administrative fee), together with the unpaid \$_____ portion of the original filing fee.

E. The Debtor remains legally liable for all debts as if the bankruptcy petition had not been filed. This bankruptcy case no longer prevents collection efforts or lawsuits. Creditor collection remedies are reinstated pursuant to 11 U.S.C. Section 349, and creditors are directed to 11 U.S.C. Section 108(c) for time limits on filing a lawsuit to collect. Generally, a creditor's lawsuit must be filed by the later of:

(1) the time deadline provided by state law; or

(2) 30 days after the date of this notice.

☐ The case is not dismissed. The plan term is extended to a total of ___ months; the monthly plan payment amount is changed to \$_____ effective _____.

☐ This is not dismissed at this time. However, in the event of any future plan default by the Debtor(s), then on the Trustee's certificate of default, this case shall be dismissed ___ WITH / ___ WITHOUT prejudice, without further notice or hearing.

☐ Continued, generally to November 29, 2017 @ 10 AM (date)
___ Conciliation in the Office of the Ch. 13 Trustee, Ste. 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219
___ Courtroom C, 54th Floor, U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219
☒ Erie Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501

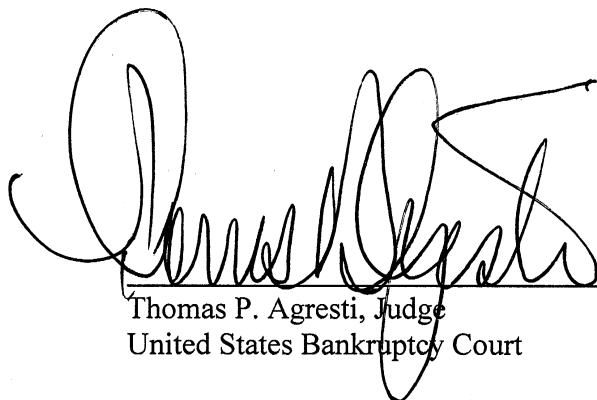
☒ The Debtor(s) is to take over long term continuing debt payments beginning with the September 2017 payment.

☒ The total due by the Debtor to complete the Plan is \$ 1,741.⁰⁰

☐ The case is dismissed without further notice or order unless the remaining \$_____ due on the Plan base is paid on or before _____.

☐ The Oral Motion by the Trustee to withdraw the *Motion to Dismiss* is GRANTED.

☐ Other:


Thomas P. Agresti, Judge
United States Bankruptcy Court

Imaged Certificate of Notice Page 3 of 3

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Joann Hickey
DebtorCase No. 12-11095-TPA
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-1

User: gamr
Form ID: pdf900Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 14, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 16, 2017.

db +Joann Hickey, 1802 E. 4th Street, Erie, PA 16511-1004

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 16, 2017

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 14, 2017 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor WILMINGTON SAVINGS FUND SOCIETY, FSB, doing business as CHRISTIANA TRUST, not in its individual capacity but solely as legal title Trustee for BCAT 2014-9TT agornall@goldbecklaw.com, bkgroup@goldbecklaw.com;bkgroup@kmlawgroup.com

James Warmbrodt on behalf of Creditor WILMINGTON SAVINGS FUND SOCIETY, FSB, doing business as CHRISTIANA TRUST, not in its individual capacity but solely as legal title Trustee for BCAT 2014-9TT bkgroup@kmlawgroup.com

James A. Prostko on behalf of Creditor BANK OF AMERICA, N.A. pawb@fedphe.com, james.prostko@phelanhallinan.com

Joseph P. Schalk on behalf of Creditor BANK OF AMERICA, N.A. pawb@fedphe.com, joseph.schalk@phelanhallinan.com

Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov

Robert P. Wendt on behalf of Creditor BANK OF AMERICA, N.A. pawb@fedphe.com

Ronda J. Winnecour cmecf@chapter13trusteedpa.com

Stephen H. Hutzelman on behalf of Debtor Joann Hickey shutzelman@shapiralaw.com, shutzelman@ecf.inforuptcy.com;ann@shapiralaw.com

Theodore B. Ely, II on behalf of Debtor Joann Hickey tely@shapiralaw.com, elythedore466@gmail.com

Theodore B. Ely, II on behalf of Plaintiff Joann Hickey tely@shapiralaw.com, elythedore466@gmail.com

TOTAL: 10